



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
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tom.healey@cn.ca

222459

May 27, 2008

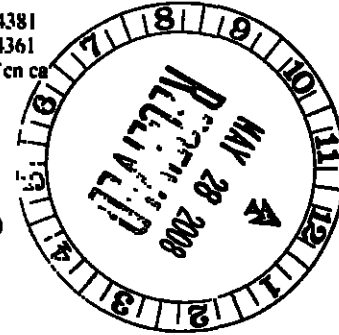
Via Overnight Mail

Ms. Anne Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E. Street, S.W.  
Washington, DC 20424

**FILED**

MAY 28 2008

**SURFACE  
TRANSPORTATION BOARD**



Re: Docket No. AB-43 (Sub-No. 181X), Illinois Central Railroad Company  
— Abandonment Exemption — in Wickliffe, Ballard County, Kentucky

Dear Ms Quinlan:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Illinois Central Railroad Company dated May 27, 2008, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,200.00, representing the appropriate fee for this filing.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

ENTERED  
Office of Proceedings  
MAY 28 2008  
Part of  
Public Record

Respectfully submitted,

Thomas J. Healey  
Attorney for  
Illinois Central Railroad Company

Encls.

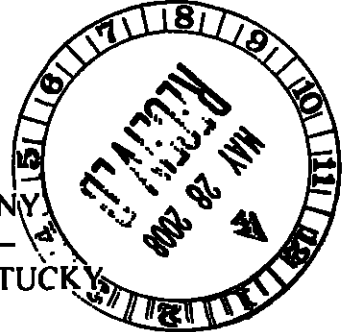
cc: Kentucky Department of Transportation

**FEE RECEIVED**  
MAY 28 2008  
**SURFACE  
TRANSPORTATION BOARD**

BEFORE THE  
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 181X)

ILLINOIS CENTRAL RAILROAD COMPANY  
— ABANDONMENT EXEMPTION —  
IN WICKLIFFE, BALLARD COUNTY, KENTUCKY



ENTERED  
Office of Proceedings  
MAY 28 2008  
Part of  
Public Record

VERIFIED NOTICE OF EXEMPTION OF  
ILLINOIS CENTRAL RAILROAD COMPANY  
PURSUANT TO 49 C.F.R. § 1152.50

**FEE RECEIVED**  
MAY 28 2008  
SURFACE  
TRANSPORTATION BOARD

**FILED**  
MAY 28 2008  
SURFACE  
TRANSPORTATION BOARD

Thomas J. Healey  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-4381  
ATTORNEY FOR  
ILLINOIS CENTRAL  
RAILROAD COMPANY

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

DOCKET NO. AB-43 (Sub-No. 181X)

---

ILLINOIS CENTRAL RAILROAD COMPANY  
- ABANDONMENT EXEMPTION -  
IN WICKLIFFE, BALLARD COUNTY, KENTUCKY

---

**VERIFIED NOTICE OF EXEMPTION OF  
ILLINOIS CENTRAL RAILROAD COMPANY  
PURSUANT TO 49 C.F.R. § 1152.50**

---

Illinois Central Railroad Company ("IC") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Wickliffe, Ballard County, Kentucky, referred to herein as the "Line" between milepost 364.54 and milepost 366.20, a distance of 1.66 miles. Given that the track always paralleled IC's historic main line, it did not provide access to any new shippers upon acquisition by IC, and has been operated by IC as a passing siding for several decades, there is some legitimate question whether abandonment authority or an exemption therefrom is needed prior to removal of the track. IC is making this filing out of an abundance of caution.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), IC submits the following information:

**General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)**

IC is a Class I common carrier by rail which owns and operates approximately 2,550 miles of rail line in six Midwestern and south central states. IC is a wholly-owned subsidiary of Canadian National Railway Company. The complete name and address of IC is:

Illinois Central Railroad Company  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345

**Relief Sought: 49 C.F.R. § 1152.22(a)(3)**

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, IC intends to abandon its line of railroad between Mileposts 364.54 and 366.20, a distance of approximately 1.66 miles in Wickliffe, Ballard County, Kentucky.

**Map: 49 C.F.R. § 1152.22(a)(4)**

A map of the Line to be abandoned is attached hereto as Exhibit A.

**IC's Representative: 49 C.F.R. § 1152.22(a)(7)**

IC's representative to whom correspondence regarding this abandonment should be sent is:

Thomas J. Healey  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-4381

**ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)**

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 42087.

**Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)**

Per the certificate and verification attached hereto as Exhibit B, IC certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last two years, there is no overhead traffic on the Wickliffe trackage that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding

cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years

**Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

IC will not consummate the proposed abandonment any earlier than July 27, 2008.

**Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)**

IC does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a developed urban area with a mature roadway system.

**Labor Protection: 49 C.F.R. 1152.50(d)(2)**

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co — Abandonment — Goshen*, 360 I.C.C. 91 (1979).

**Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)**

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

**Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8**

An Environmental Report and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, were already filed with the Surface Transportation Board in this proceeding.

Since filing the Environmental and Historic Report with the Surface Transportation Board, IC has received correspondence from the Kentucky State Clearinghouse, see correspondence attached as Exhibit D. The government offices listed in that correspondence have replied with "no comments" except for the Kentucky Heritage Council. IC has contacted the Heritage Council and is currently working towards completing the 106 review process. The Heritage Council has provided correspondence attached hereto as Exhibit E. Once IC has completed this process, the Council feels this abandonment will have no adverse effect on the historic bridges.

Respectfully submitted.

By 

Thomas J. Healey  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-4381

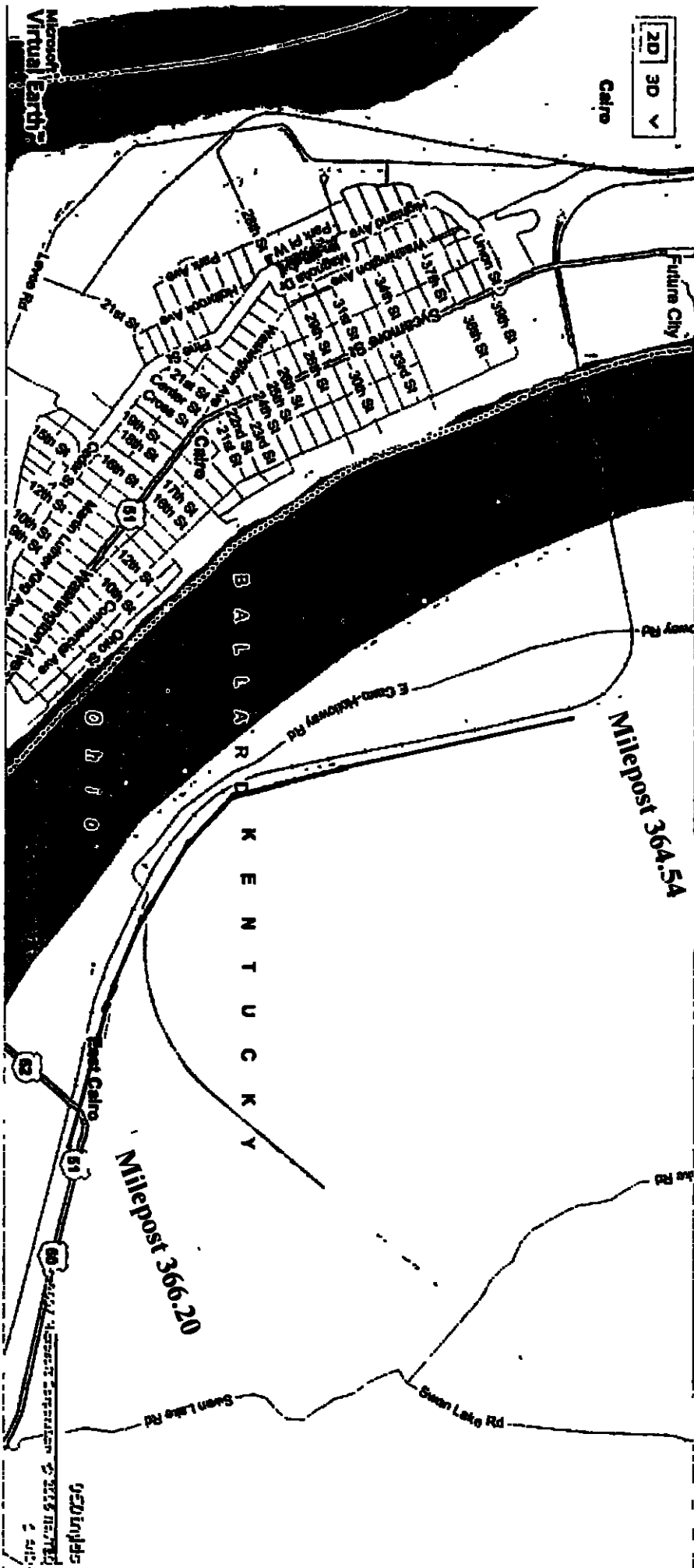
ATTORNEY FOR ILLINOIS CENTRAL  
RAILROAD COMPANY

Dated May 27, 2008

Wickliffe, Ballard City,  
Kentucky

AB43-Sub-No. 181X

Exhibit A



**EXHIBIT B**

**DOCKET NO. AB-43 (SUB-NO. 181X)**

**ILLINOIS CENTRAL RAILROAD COMPANY  
— ABANDONMENT EXEMPTION —  
IN WICKLIFFE, BALLARD COUNTY, KENTUCKY**


**CERTIFICATE AND VERIFICATION**

STATE OF ILLINOIS       )  
                                  ) ss  
COUNTY OF COOK       )


Robert M. Wedam, being duly sworn, deposes and says:

1. That no local traffic has moved over the line of Illinois Central Railroad Company ("IC") from milepost 364.54 to 366.20, a distance of 1.66 miles in Wickliffe, Ballard County, Kentucky, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Date: May 27, 2008

  
Robert M. Wedam  
Senior Manager – Network Strategies  
Illinois Central Railroad Company

Subscribed and sworn to  
before me this 27<sup>th</sup> day of  
May, 2008.

  
Notary Public

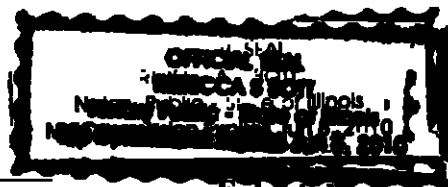


Exhibit B



## **EXHIBIT C**

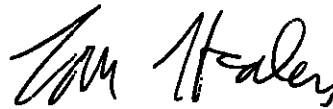
### **CERTIFICATE**

I, Thomas J. Healey, an attorney for Illinois Central Railroad Company, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-43 (Sub-No. 181X), Illinois Central Railroad Company — Abandonment Exemption — in Wickliffe, Ballard County, Kentucky:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On April 18, 2008, written notice was mailed to the: (a) Kentucky Department of Transportation; (b) U.S. Department of Defense, MTMC/TEA; (c) National Center for Recreation and Conservation; and (d) resent on May 6, 2008 to the U.S. Department of Agriculture (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On March 14, 2008, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11

(3) A newspaper notice was published on October 23, 2007, in *The Advance Yeoman*, a newspaper of general circulation in Ballard County, Kentucky. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.

A handwritten signature in black ink, appearing to read "Tom Healey", is written over a horizontal line.

Thomas J. Healey

Dated: May 27, 2008



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

April 18, 2008

Mr. Marc D Williams,  
Commissioner of Highways  
Kentucky Department of Transportation  
Administration Building  
200 Metro Street  
Frankfort, KY 40622

Re: Docket No AB-43 (Sub-No. 181X), Illinois Central Railroad Company  
Notice of Exemption in Wickliffe, Ballard County, Kentucky

Dear Mr. Williams:

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after May 1, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.66 miles of railroad line starting at milepost 364.54 and ending at milepost 366.20 in Ballard County, Wickliffe, Kentucky. Such line runs through U.S. Postal Zip Code 42087.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey  
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

April 18, 2008

United States Department of Defense  
MTMCTEA  
Attn Railroads for National Defense  
720 Thimble Shoals Blvd , Suite 130  
Newport News, VA 23606-2574

Re Docket No AB-43 (Sub-No. 181X), Illinois Central Railroad Company  
Notice of Exemption in Wickliffe, Ballard County, Kentucky

Dear Sir/Madam:

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after May 1, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.66 miles of railroad line starting at milepost 364.54 and ending at milepost 366.20 in Ballard County, Wickliffe, Kentucky. Such line runs through U.S. Postal Zip Code 42087.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey  
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17841 S Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

April 18, 2008

Mr Thomas Ross  
Division Chief  
National Center for Recreation and Conservation  
National Park Service  
1849 C Street, N W  
Org Code 2220  
Washington, D C 20420

Re Docket No. AB-43 (Sub-No 181X), Illinois Central Railroad Company  
Notice of Exemption in Wickliffe, Ballard County, Kentucky

Dear Mr. Ross

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after May 1, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.66 miles of railroad line starting at milepost 364.54 and ending at milepost 366.20 in Ballard County, Wickliffe, Kentucky. Such line runs through U.S. Postal Zip Code 42087.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey  
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

May 6, 2008

Ms. Abigail Kimball  
Chief, Forest Service  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
RM 4NW YATESBG  
Washington, DC 20250

Re: Docket No. AB-43 (Sub-No. 181X), Illinois Central Railroad Company  
Notice of Exemption in Wickliffe, Ballard County, Kentucky

Dear Ms. Kimball:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after May 1, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.66 miles of railroad line starting at milepost 364.54 and ending at milepost 366.20 in Ballard County, Wickliffe, Kentucky. Such line runs through U.S. Postal Zip Code 42087.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey  
Attorney for Illinois Central Railroad Company



www.cn.ca

Law

Thomas J. Healey  
Counsel - Regulatory

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

T - 708-332-4381  
F - 708-332-4361  
tom.healey@cn.ca

March 14, 2008

**Re: Illinois Central Railroad Company Notice of Exemption for Abandonment –  
Wickliffe, Ballard County, Kentucky - Docket AB-43 (Sub-No. 181X)**

To Whom It May Concern:

Any time on or after April 7, 2008, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 364.54 and milepost 366.20, a distance of 1.66 miles, in Wickliffe, Ballard County, Kentucky. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

IC will file the Environmental Report and Historic Report with the STB on or about March 14, 2008. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey  
Attorney for Illinois Central Railroad Company

Encls.

Ms. Lee Nalley  
Governor's Office for Local Development  
State Clearinghouse  
1024 Capital Center Dr., Suite 340  
Frankfort, KY 40601

Kentucky Department for Environmental Protection  
Paducah Regional Office  
130 Eagle Nest Drive  
Paducah, KY 42003-9435

Mr. David Kennedy, Director  
Office of Ocean and Coastal Resource Management  
NOAA Ocean Service  
1305 East West Highway  
Silver Spring, MD 20910

Mayor Herbie Vance  
Wickliffe Court House  
PO Box 276  
Wickliffe, KY 42087

Ms Cheryl Taylor, Commissioner  
Department of Environmental Protection  
14 Reilly Road  
Frankfort, KY 40601

Mr. Lee Andrews  
US Fish and Wildlife Service  
330 W. Broadway, Room 265  
Frankfort, KY 40601

Civil Works Office  
US Army Engineer District, Louisville  
PO Box 59 [600 Dr Martin Luther King Pl.]  
Louisville, KY 40201-0059

Ms. Deborah Calloway, Program Assistant  
National Park Service  
Southeast Region  
100 Alabama Street, NW  
NPA/Atlanta Federal Center  
Atlanta, GA 30303

Mr. Michael Hubbs  
State Conservationist  
771 Corporate Drive, Suite 210  
Lexington, KY 40503

U.S. Geological Survey  
Kentucky Mapping Partnership Office  
9818 Bluegrass Parkway  
Louisville, KY 40299



Mr. Marc D Williams, P E.  
Kentucky Department of Transportation  
200 Mero Street  
Frankfort, KY 40622

Ms. Donna Neary, Executive Director  
State Historic Preservation Office  
Kentucky Heritage Counsel  
300 Washington Street  
Frankfort, KY 40601

Ms. Vickie Viniard  
Judge/Executive  
PO Box 276, County Courthouse  
Wickliffe, KY 42087-0276

Mr. Larry C. Taylor, State Env Review Officer  
Environmental and Public Protection Cabinet  
300 Fair Oaks Lane  
Frankfort, Kentucky 40601

Ms. Katherine McCafferty, Regulations Specialist  
Department of the Army Corps of Engineers  
PO Box 489  
Newburgh, Indiana 47629-0489

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## KENTUCKY PUBLISHING, INC.

701 Jefferson Street

Paducah, KY 42001

Tel: 270/442-7389 ~ Fax: 270/442-5220

Email: tleneave@comcast.net

### ***Affidavit of Publication***

***THE WEST KENTUCKY NEWS; THE CARLISLE COUNTY NEWS; THE ADVANCE YEOMAN;  
THE LIVINGSTON LEDGER; THE PADUCAH BUSINESS JOURNAL AND THE TOURIST GUIDE***

**CN LAW**

**ILLINOIS CENTRAL**

**ATTN: REBECCA BOTT**

**17641 S. ASHLAND AVE**

**HOMewood, IL 60430**

**Re: ILLINOIS CENTRAL LEGAL 10/23/07**

***This Affidavit of Publication is to notify you of ILLINOIS CENTRAL LEGAL which ran on 10/23/2007 in  
The Advance Yeoman.***


**size 2x4.5**

**Total price \$72.00**

***Thank you for your business!***

**TERESA LENEAVE, OFFICE MANAGER**

**NOTARY**

  
**Teresa Sullivan LeNeave**

***On 7 day of NOV. 2007  
My commission expires JAN 2010***

ILLINOIS CENTRAL RAILROAD gives notice that on or after December 31, 2007, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152, Subpart F, Exempt Abandonments, permitting the abandonment of 1.06 miles of railroad line between mile post 736.424 and mile post 736.203 in Wickliffe, Ballard County, Kentucky. This line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. The existing parallel main line will not be impacted by the abandonment. This line traverses through U.S. Postal Zip Code 42067. The proceeding will be docketed as AB-43 (Sub No. 181X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be considered in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 399 E. Street SW, Washington, DC 20423, or by calling that office at (202) 245-0245.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trail use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trail use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Secretary, 399 E. Street SW, Washington, DC 20423 (49 CFR 1104.1(a) and 1104.3(a)) and one copy must be served on applicant's representative (49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trail use may be directed to the Commission's Office of Congressional and Public Services at (202) 245-1882. Copies of any comments or requests for conditions should be served on the applicant's representative, Thomas J. Healey, (708) 332-4381 at 17641 S. Ashland Avenue, Homewood, IL 60430.



**OFFICE OF THE GOVERNOR  
GOVERNOR'S OFFICE FOR LOCAL DEVELOPMENT**

**Steven L. Beshear**  
Governor

1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601  
Phone (502) 573-2382  
Fax (502) 573-2939  
Toll Free (800) 346-5606  
[www.gold.ky.gov](http://www.gold.ky.gov)

April 30, 2008

Mr. Thomas Healey  
CN  
17641 S. Ashland Avenue  
Homewood, IL 60430

**RE** Illinois Central Railroad Company Notice of Exemption for Abandonment  
of Lines in Wickliff, Ballard County, Kentucky  
SAI# KY20080324-0408

Dear Mr. Healey:

The Kentucky State Clearinghouse, which has been officially designated as the Commonwealth's Single Point of Contact (SPOC) pursuant to Presidential Executive Order 12372, has completed its evaluation of your proposal. The clearinghouse review of this proposal indicates there are no identifiable conflicts with any state or local plan, goal, or objective. Therefore, the State Clearinghouse recommends this project be approved for assistance by the cognizant federal agency.

Although the primary function of the State Single Point of Contact is to coordinate the state and local evaluation of your proposal, the Kentucky State Clearinghouse also utilizes this process to apprise the applicant of statutory and regulatory requirements or other types of information which could prove to be useful in the event the project is approved for assistance. Information of this nature, if any, concerning this particular proposal will be attached to this correspondence.

You should now continue with the application process prescribed by the appropriate funding agency. This process may include a detailed review by state agencies that have authority over specific types of projects.

This letter signifies only that the project has been processed through the State Single Point of Contact. It is neither a commitment of funds from this agency or any other state or federal agency.

**Exhibit D**

**20**

**The results of this review are valid for one year from the date of this letter**  
Continuation or renewal applications must be submitted to the State Clearinghouse annually  
An application not submitted to the funding agency, or not approved within one year after  
completion of this review, must be re-submitted to receive a valid intergovernmental review

If you have any questions regarding this letter, please feel free to contact my office at  
502-573-2382

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Nalley". The signature is fluid and cursive, with the first name "Lee" and last name "Nalley" clearly distinguishable.

Lee Nalley  
Kentucky State Clearinghouse

Attachments

Cc: Purchase ADD

- ✓ The Labor Cabinet has made the following advisory comment pertaining to State Application Identifier Number KY200803240408

Prevailing Wage Rates are not applicable project is under \$250,000 threshold

- ✗ The Heritage Council has made the following advisory comment pertaining to State Application Identifier Number KY200803240408

This office previously identified a number of railroad bridges involved in the project that are possibly eligible for listing in the National Register of Historic Places. These bridges should undergo state level documentation. Please contact this office for directions on how to complete this documentation. Please contact Janie-Rice Brothel at 502.564.7005 ext 121

The applicant must ensure compliance with the Advisory Council on Historic Preservation's Rules and Regulations for the Protection of Historic and Cultural Properties (38CFR, Part 800) pursuant to the National Historic Preservation Act of 1966, the National Environmental Policy Act of 1969, and Executive Order 11593.

- ✓ The Kentucky Housing Corporation has made the following advisory comment pertaining to State Application Identifier Number KY200803240408  
no comments

The Transportation has made the following advisory comment pertaining to State Application Identifier Number KY200803240408

Thomas (D1), Allen:

The Kentucky Department of Highways is responsible for controlling both public and private usage of right-of-way of the State road system. Any firm, individual, or governmental agency desiring access to a State road or desiring to perform any type of work (including signage, boring, etc.) on or adjacent to State right-of-way must obtain a permit from the Department.

Any proposed access or encroachment of a State maintained road right of way should be coordinated at the earliest possible stage with:

Susan Oatman, P.E.  
Permits Engineer  
Kentucky Department of Highways  
5501 Kentucky Dam Road  
P O Box 3010  
Paducah, Kentucky 42002-3010  
Telephone (270) 898-2431  
Fax: (270) 898-7457

- ✓ Wilson, Jimmy: The Division of Planning has no comments.

- ✓ The Purchase ADD has made the following advisory comment pertaining to State Application Identifier Number KY200803240408  
no comments

✓ The Housing, Building, Construction has made the following advisory comment pertaining to State Application Identifier Number KY200803240408  
no comment

✓ The Natural Resources has made the following advisory comment pertaining to State Application Identifier Number KY200803240408  
no comments

✓ The Health and Family Services has made the following advisory comment pertaining to State Application Identifier Number KY200803240408

The Cabinet for Health and Family Services has no comment



**COMMERCE CABINET  
KENTUCKY HERITAGE COUNCIL**

**Steven L. Beshear**  
Governor

**The State Historic Preservation Office**  
300 Washington Street  
Frankfort, Kentucky 40601  
Phone (502) 564-7005  
Fax (502) 564-5820  
[www.kentucky.gov](http://www.kentucky.gov)

**Marcheta Sparrow**  
Secretary  
  
**Donna M. Neary**  
Executive Director and  
State Historic Preservation Officer

May 12, 2008

Rebecca S. Bott, Paralegal  
CN Law Department  
17641 S. Ashland Avenue  
Homewood, IL 60430

**Re: Section 106 Review of Three Railroad Bridges, Illinois Central Railroad Proposed Abandonment, AB-43 (Sub-No. 181X) in Wickliffe, Ballard County, Kentucky**

Dear Ms. Bott:

The State Historic Preservation Office has reviewed the above-referenced project. The proposed undertaking consists of the abandonment of a railroad line by Illinois Central Railroad Company in Ballard County, starting at MP 364.54 and ending at MP 366.20. In a letter from this office dated November 21, 2007, we determined that the three timber railroad bridges along this segment of line are potentially eligible for listing in the National Register of Historic Places under Criterion A, for association with the development of the railroad in Kentucky.

It is our determination that this undertaking will have **No Adverse Effect** on historic resources, provided that the following stipulation is met:

1. The three railroad bridges will be recorded on Kentucky Historic Resources Inventory forms; the survey forms, along with the requisite maps and photographic documentation, will be submitted to this office.

Should you have any questions about these comments, feel free to contact Janie-Rice Brother of my staff at (502) 564-7005, extension 121

Sincerely,

Donna M. Neary, Executive Director  
Kentucky Heritage Council and  
State Historic Preservation Officer

JRB:jrb

Exhibit E

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